

FILED - KZ

June 3, 2021 10:46 AM

U.S. DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN

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UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGANHurtis, L. Murphy  
50067533

(Enter above the full names of all plaintiffs, including prisoner number, in this action.)

v. Charles T. LaSata  
Paul Bailey  
Corey Burk's see Attach

(Enter above the full name of the defendant or defendants in this action.)

1:21-cv-454

Hala Y. Jarbou  
U.S. District Judge  
Sally J. Berens  
U.S. Magistrate JudgeCOMPLAINT

## I. Previous Lawsuits

**CAUTION:** The Prison Litigation Reform Act has resulted in substantial changes in the ability of incarcerated individuals to initiate lawsuits in this and other federal courts without prepayment of the civil action filing fee. Accurate and complete responses are required concerning your litigation history. Generally, a plaintiff's failure to accurately and completely answer the questions set forth below will result in denial of the privilege of proceeding *in forma pauperis* and require you to pay the entire \$402.00 filing fee regardless of whether your complaint is dismissed.

- A. Have you ever filed a lawsuit while incarcerated or detained in any prison or jail facility? Yes ☐ No ☒
- B. If your answer to question A was yes, for each lawsuit you have filed you must answer questions 1 through 5 below. Attach additional sheets as necessary to answer questions 1 through 5 below with regard to each lawsuit.
1. Identify the court in which the lawsuit was filed. If it was a state court, identify the county in which the suit was filed. If the lawsuit was filed in federal court, identify the district within which the lawsuit was filed.  
\_\_\_\_\_
  2. Is the action still pending? Yes ☐ No ☐
    - a. If your answer was no, state precisely how the action was resolved: \_\_\_\_\_  
\_\_\_\_\_
  3. Did you appeal the decision? Yes ☐ No ☐
  4. Is the appeal still pending? Yes ☐ No ☐
    - a. If not pending, what was the decision on appeal? \_\_\_\_\_  
\_\_\_\_\_
  5. Was the previous lawsuit based upon the same or similar facts asserted in this lawsuit? Yes ☐ No ☐

If so, explain: \_\_\_\_\_  
\_\_\_\_\_

## II. Place of Present Confinement

If the place of present confinement is not the place you were confined when the occurrence that is subject of instant lawsuit arose, also list the place you were confined:

Berrien County Jail

## III. Parties

## A. Plaintiff(s)

Place your name in the first blank and your present address in the second blank. Provide the same information for any additional plaintiffs. Attach extra sheets as necessary.

Name of Plaintiff Hurtis Murphy

Address 1742 Council Dr.

## B. Defendant(s)

Complete the information requested below for each defendant in this action, including whether you are suing each defendant in an official and/or personal capacity. If there are more than four defendants, provide the same information for each additional defendant. Attach extra sheets as necessary.

Name of Defendant #1 Corey Burks

Position or Title L.T.

Place of Employment Berrien County Jail

Address 919 port st. St. Joseph, MI 49085

Official and/or personal capacity? Yes Both

Name of Defendant #2 Paul Bailey

Position or Title Sheriff of Berrien County Jail

Place of Employment Berrien County Jail

Address 919 port st. St. Joseph, MI 49085

Official and/or personal capacity? Yes Both

Name of Defendant #3

Position or Title Chief of Police of S.W.E.T. Team

Place of Employment

Address

Official and/or personal capacity? Yes Both

Name of Defendant #4 Marcus Muhammad

Position or Title Mayor

Place of Employment The City of Benton Harbor

Address

Official and/or personal capacity? Yes Both

Name of Defendant #5 Gretchen Whitmer

Position or Title Governor

Place of Employment State of Michigan

Address

Official and/or personal capacity? Yes Both

## IV. Statement of Claim

State here the facts of your case. Describe how each defendant is personally involved. Include also the names of other persons involved, dates and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Use as much space as you need. Attach extra sheets if necessary.

Grant a monetary value for each Day extra  
I served Bring undo Hardship to my family  
& Kid's also Have the courts & Jail create  
A Better line of communications between Each  
other so mis calculation are seen more Quicker.  
So united states citizens are not loose our  
Freedom. Pay my Attorney Fee's, also Grant me  
Hardship fund for Both me & my family whom  
suffer from this Action loss wages from  
work.

All Totaling (\$ 3.8 million Dollars) Plus  
Attorney Fee's & litigation cost.

Grant \$ 3.8 million Dollars  
to Plaintiff

Mr. Hurt's Murphy

5-23-21

V. Relief

State briefly and precisely what you want the court to do for you.

Grant A monetary value for Each "Day"  
Extra I served. Bring undo Hardship.  
to my Family & kid's. also the courts  
& Jail create Better line of communications  
Between us. & Pay my Attorney Fee's also  
Grant Both me & my family for suffer from  
this. loss wages. all Totaling (\$3.8 million  
Dollars) Plus Attorney Fee's & litigation cost.

5-23-21

Date

Herbert Murphy

Signature of Plaintiff

NOTICE TO PLAINTIFF(S)

The failure of a *pro se* litigant to keep the court apprised of an address change may be considered cause for dismissal.

NAME \_\_\_\_\_

LOCATION \_\_\_\_\_

919 PORT STREET  
ST. JOSEPH, MICHIGAN 49085

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office of the clerk  
united states District court  
107 Federal Building  
410 W. Michigan Avenue  
Kalamazoo, Michigan 49007